

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

538S0501

HOUSE BILL NO. 1210

Introduced by: Representatives Olson (Betty), Bolin, Brunner, Hubbel, Jones, Juhnke, Kirkeby, Miller, Munsterman, Nelson (Stace), Russell, Schrempp, and Tulson and Senators Schlekeway, Bradford, Garnos, Kraus, Lederman, Maher, and Sutton

1 FOR AN ACT ENTITLED, An Act to provide for the lease of hunting rights on certain school
2 and public lands.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The commissioner of school and public lands shall lease the hunting rights on all
5 tracts and allotments of school and public lands that constitute grazing land as a means of
6 maximizing the revenue from the state's remaining school lands for the support and benefit of
7 the public schools of the state.

8 Section 2. The commissioner shall offer leases of the hunting rights on each tract and
9 allotment of school and public land at the same time and for the same term of years as the
10 grazing rights on the same tract or allotment. The hunting rights shall be leased to the highest
11 bidder. The hunting rights lease shall be offered separate from the offer of the grazing lease; but
12 the grazing lessee may bid on and obtain the hunting rights lease if the lessee enters the highest
13 bid.

14 Section 3. If a hunting rights lease is offered on a particular tract or allotment, but no bid is



1 entered, the commissioner shall offer the hunting rights lease to the lessee of the grazing rights
2 for the nominal rent of one dollar per tract or allotment per year.

3 Section 4. The commissioner shall prescribe uniform conditions to apply to all hunting
4 rights leases under the supervision of the commissioner. The lease conditions may pertain to
5 such subjects as:

- 6 (1) Sublease of the hunting rights;
- 7 (2) Invitees;
- 8 (3) Coordination of hunt dates and hunt participants with the grazing lessee;
- 9 (4) Guided or commercial hunts; and
- 10 (5) Notification to the grazing lessee of damages to livestock, fences, and pasture.

11 Section 5. Nothing in this Act may be construed to prohibit any person who leases school
12 or public lands from lawfully controlling predators, varmints, and rodents injurious to livestock
13 and pasture.

14 Section 6. Revenues from hunting rights leases shall be processed and deposited in like
15 manner to the revenue from grazing leases.

16 Section 7. In lieu of any other property tax on the leasehold interest of the hunting rights
17 leased pursuant to this Act, each county shall assess a payment-in-lieu-of-taxes of twelve and
18 one-half percent of the annual lease payment for the hunting rights lease on the hunting rights
19 lessee. The payment-in-lieu-of-taxes shall be noticed, collected, and deposited in like manner
20 to local property taxes.